

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12223 of Ernest Aleotti, pursuant to Paragraph 8207.11 of the Zoning Regulations for a variance to permit the use of an auto repair garage in the R-1-B District at the rear of 6338 Piney Branch Road, N. W., Lot/Parcel 88/209, Square 2944.

HEARING DATE: October 20, 1976  
DECISION DATE: October 20, 1976 (Bench Decision)  
DISPOSITION: Application DENIED by a vote of 4-0  
(Lilla Burt Cummings, Esq., Willia F. McIntosh, Walter B. Lewis, and Leonard L. McCants)  
FINAL DATE OF ORDER: April 21, 1977

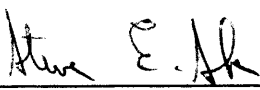
O R D E R

Upon consideration of the applicant's Motion for Reconsideration and Rehearing dated May 27, 1977, the Board finds that the motion fails to state an acceptable basis of error on the part of the Board to support a motion for reconsideration and further was not filed in a timely manner in accordance with Section 5.41 of the Supplemental Rules of Practice and Procedure. It is therefore ORDERED that the motion be DENIED.

DECISION DATE: September 7, 1977  
VOTE: 5-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh, Leonard L. McCants and Walter B. Lewis)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 16 SEP 1977

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 12223 of Ernest Aleotti, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a variance to permit the use of an auto repair garage in the R-1-B District at the rear of 6338 Piney Branch Road, N. W. (Lot/Parcel 88/209, Square 2944).

HEARING DATE: October 20, 1976

DECISION DATE: October 20, 1976 (Bench Decision)

FINDINGS OF FACT:

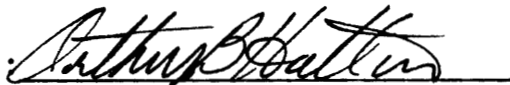
1. The property is located in the R-1-B District.
2. The property consists of an owner occupied dwelling with a separate garage located at the rear.
3. Applicant has since 1971 engaged in the business of repairing automobiles in the garage as his livelihood.

CONCLUSIONS OF LAW AND OPINION

Applicant seeks a use variance requiring a showing of exceptional or undue hardship bordering on an economic taking. The Board is of the opinion that the applicant has failed to make the required showing. It is therefore ORDERED that this application is hereby DENIED.

VOTE : 4-0 (Lilla B. Cummings, Esq., William F. McIntosh,  
Walter B. Lewis, Leonard L. McCants, Esq.)

ATTESTED BY:



ARTHUR B. HATTON  
Secretary to the Board

FINAL DATE OF ORDER: 4-21-77